

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

ANDREA J AVERILL

13396 LIME LAKE DR

SPARTA

MI 49345-0186

Case No: GG 14-04375

Date Filed: 6/26/14

Chapter 13

Honorable John T. Gregg

Debtor(s) /

**TRUSTEE'S MOTION TO DISMISS THE CHAPTER 13 PROCEEDINGS AND NOTICE OF
MOTION PURSUANT TO 11 U.S.C. 1307(c)**

The Chapter 13 Trustee, **Brett N. Rodgers**, hereby moves this Court to dismiss the above captioned Chapter 13 case for the following reasons pursuant to 11 U.S.C. 1307(c):

(X) 1307(c)(6) Material default by the debtor with respect to a term of a confirmed plan:

(X) Other: Failure to provide 2014 tax returns and refunds

Note: As a result of the above Motion being made, your case could be converted to a Chapter 7 case.

NOTICE OF MOTION

Take notice that if a timely response is filed the within motion will be heard before the Honorable John T. Gregg on July 28, 2015 at 1:00 P.M. This hearing will be held at the U.S. Bankruptcy Court, One Division Ave NW, 3rd Floor, Courtroom C, Grand Rapids, MI 49503.

If you wish to oppose the Motion you must filed a written response with the Bankruptcy Court and serve a copy upon the Chapter 13 Trustee at 50 Louis St NW, Suite 700, Grand Rapids MI 49503 within 30 days of the date on which the Bankruptcy Noticing Center (BNC) served this Motion to Dismiss. The response filed must comply with Local Bankruptcy Rule 9013(d) and must state with particularity the reasons why the Trustee's Motion should not be granted. If a timely response is not filed, the Chapter 13 Trustee may at any time after the expiration of the 30 day period, file with the Court a certificate stating that no timely response or request for hearing has been filed together with a proposed Order Dismissing the case and cancel the scheduled hearing date as moot.

Dated: 5/12/2015

/s/ Brett N. Rodgers

Brett N. Rodgers, Trustee

PROOF OF SERVICE

This Motion to Dismiss was served electronically upon the attorney for the debtor(s), if applicable, and the debtor(s) by the BNC.

ATTORNEY FOR DEBTOR(S):

CORWIN LAW & CONSULTING PLC